

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Marshall Leon Watkins,

Plaintiff,

vs.

Nurse Jones, Lieutenant Smith, Lieutenant
Surratt, Sgt. Lawiss, Lieutenant Blackwell, Lt.
Taylor, Ms. Phyll, James Simmons,

Defendants.

C/A No. 0:17-135-MGL-PJG

ORDER

The plaintiff has filed this action, *pro se*, seeking relief pursuant to 42 U.S.C. § 1983. Plaintiff, an inmate with the South Carolina Department of Corrections, alleges violations of his constitutional rights by the named defendants. Defendant Jones filed a motion to dismiss on April 20, 2018, pursuant to the Federal Rules of Civil Procedure. (ECF No. 91.) As the plaintiff is proceeding *pro se*, the court entered an order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), on April 23, 2018, advising the plaintiff of the importance of a motion to dismiss and of the need for him to file an adequate response. (ECF No. 93.) The plaintiff was specifically advised that if he failed to respond adequately, the defendant's motion may be granted, thereby ending his case against that defendant.

Notwithstanding the specific warning and instructions set forth in the court's Roseboro order, the plaintiff has failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon his claims against Defendant Jones.

Based on the foregoing, it is

ORDERED that the plaintiff shall advise the court as to whether he wishes to continue with his claims as to Defendant Jones and to file a response to the defendant's motion to dismiss within fourteen (14) days from the date of this order. Plaintiff is further advised that if he fails to respond, **the claims against Defendant Jones will be recommended for dismissal with prejudice for failure to prosecute.** See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.



Paige J. Gossett

UNITED STATES MAGISTRATE JUDGE

May 31, 2018
Columbia, South Carolina